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To: Commissioner for Patents for Examiner Laurie Anne Ries Group Art Unit 2176	Facsimile No.: 703/872-9306
From: Amelia Turner Legal Assistant to Stephen R. Tkacs	No. of Pages Including Cover Sheet: 21
Message: Transmitted herewith: <ul style="list-style-type: none">• Transmittal Document; and• Appeal Brief.	
Re: Application No.: 09/838,428 Attorney Docket No: AUS920010015US1	
Date: Friday, April 15, 2005	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Janakiraman et al.

Serial No.: 09/838,428

Filed: April 19, 2001

For: Displaying Text of Video in
Browsers on a Frame by Frame Basis

35525

PATENT TRADEMARK OFFICE
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Group Art Unit: 2176

Examiner: Ries, Laurie Anne

Attorney Docket No.: AUS920010015US1

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Sir:

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- Appeal Brief (37 C.F.R. 41.37).

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,


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Docket No. AUS920010015US1

PATENT

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By



Amelia C. Turner

APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on February 16, 2005.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1, 3-8, 10-15, and 17-21

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: 2, 9, and 16
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1, 3-8, 10-15, and 17-21
4. Claims allowed: NONE
5. Claims rejected: 1, 3-8, 10-15, and 17-21
6. Claims objected to: NONE

C. CLAIMS ON APPEAL

The claims on appeal are: 1, 3-8, 10-15, and 17-21

STATUS OF AMENDMENTS

There are no amendments after final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claims 1, 8, and 15:

The presently claimed invention provides a method, computer program product, and system for presenting text from multimedia data to a user. The present invention receives multimedia data containing an associated plurality of sets of text data, wherein the plurality of sets of text data includes a first text data set associated with a first plurality of video frames and a second text data set associated with a second plurality of video frames. See specification, page 11, line 24, to page 12, line 15; page 16, line 26, to page 17, line 2. The present invention extracts the associated plurality of sets of text data from the multimedia data. See specification, page 11, lines 15-23; page 13, lines 23-31; page 14, line 25, to page 16, line 25; page 17, lines 3-12. The present invention outputs the first text data set with a one video frame of the first plurality and then, responsive to determining that the text in the multimedia data has changed from the first text data set to the second text data set, outputs the second text data set and a one video frame of the second plurality of video frames. See specification, page 11, line 24, to page 12, line 15; page 17, lines 12-22.

The means recited in independent claim 15, as well as dependent claims 17-21, may be data processing hardware within server 200, client 300, and combinations thereof, as described in the specification at page 6, line 2, to page 10, line 20, operating under control of software performing with the functionality described in the specification at page 10, line 21, to page 14, line 12, or equivalent.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection on appeal are as follows:

Claims 1, 3-8, 10-15, and 17-21 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Gibbon et al.* (U.S. Patent Publication No. 2004/0078188 A1) in view of *Cramer et al.* (U.S. Patent Publication No. 2002/0104096 A1).